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DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH

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Certified Mail  
Return Receipt Requested

February 13, 1989

Mr. Bob Renaud  
St. George Mining Corporation  
Suite 201  
50 East 100 South  
St. George, Utah 84770

Re: Apex Project  
Unauthorized Construction

Dear Mr. Renaud:

A routine inspection of the Apex mine project was conducted on 6 February 1989 by Mr. Charlie Dietz of my staff. Mr. John Morgan of your staff accompanied Mr. Dietz during the inspection. The findings of the inspection are summarized in two parts.

- A. The following findings apply to ponds constructed without communication of intent, submission of plans or specifications or changes from the information submitted in 1985.
1. No major defects which would give us concern about the integrity of the asphalt sprayed-on liner of the approximately one (1) acre pond were observed. No further conclusion relative to the pond could be made because the pond was filled with liquid. The pond was not inspected by us during construction, nor were plans or specifications reviewed and approved. Irregular surface cracking of the sprayed-on flexible membrane forming a block pattern approximately 1 inch on a side was observed. Modifications to the previously submitted design i.e. the addition of gas vents were observed in the flexible membrane of this pond.
  2. An estimated two (2) acre pond with a hypalon liner appeared to have been recently constructed. This pond was not filled with liquid. No evaluation of the pond could be made because we did not inspect the construction, nor were plans or specifications reviewed and approved.
  3. Approximately half an acre pond was formed with fill material but had not been lined. There was no evidence that any process fluids or tailings had been introduced into this pond.

Min file 1053/004  
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DIVISION OF  
OIL, GAS & MINING



We are concerned that wastewater and process water containment facilities have been constructed at the Apex site without review and approval of plans and specifications by the Bureau of Water Pollution Control.

We request that the 2-acre hypalon lined pond not be placed in service until plans and specifications have been reviewed on all 3 ponds described above and an inspection conducted.

The plan submitted in 1985 stated that the four ponds described therein represented the first phase of construction. We request that further construction of additional ponds not occur without the review plans and specifications by the Bureau of Water Pollution Control. We, therefore, request the following information be provided:

- a. Plans and specifications for the ponds described above,
- b. An evaluation of the surface cracking of the sprayed-on flexible membrane liners to determine if the integrity of the liner has been impaired, and,
- c. Details of modifications to the sprayed-on flexible membrane liner design, i.e. addition of gas vents, previously submitted.

After receipt of this information, an onsite inspection will be scheduled to determine if the construction meets the minimum design requirements.

B. Ponds designed and constructed in 1985:

A construction permit was not issued for the remaining four ponds. A leak detection system under these ponds was deemed essential by the Bureau. The Shivwitz Tribal Council had a differing opinion in the matter.

The following information is requested on these four ponds and the project in general:

1. An evaluation of the irregular surface cracking pattern on the sprayed-on flexible membrane system to determine if the integrity of the liner has been impaired,
2. Rationale and justification for changing the liner for the three quarter acre pond from sprayed-on asphalt to hypalon,



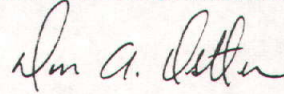
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Monitoring data collected from all monitoring wells or other monitoring devices for the project.

Please call Charlie Dietz if there are any questions.

Sincerely,

Utah Water Pollution Control Committee



Don A. Ostler, P.E.  
Executive Secretary

CGD/ag

cc: Mr. Dee Wilcox, Bureau of Indian Affairs, U.S. Department of Interior  
Field representative, Southern Piute Field Station, P.O. Box 986, Cedar city, Utah  
84620

Mr. Wayne Thomas, Southwest District Health Department

Mr. Fred Nelson, Attorney General's Office

Mr. Lowell Braxton, Division of Oil, Gas and Mining

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